

UNITED STATES DISTRICT COURT
Western District of Texas
EL PASO DIVISION

UNITED STATES OF AMERICA

v.

Case Number EP-10-CR-1178-KC
USM Number

CHARLOTTE'S INC.;
Melissa O'Rourke, authorized representative

Defendant.

AMENDED JUDGMENT IN A CRIMINAL CASE
(For Offenses Committed On or After November 1, 1987)

The defendant, CHARLOTTE'S INC. ; Melissa O'Rourke, authorized representative, was represented by Thomas E. Stanton.

The defendant pled guilty to Count(s) One (1) of the Information on May 11, 2010. Accordingly, the defendant is adjudged guilty of such Count(s), involving the following offense(s):

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Offense Ended</u>	<u>Count (s)</u>
31 U.S.C. 5324	Structuring transactions to evade reporting requirement	May 12, 2005	One (1)

As pronounced on May 11, 2010, the defendant is sentenced as provided in pages 2 through 6 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid. If ordered to pay restitution, the defendant shall notify the Court and United States Attorney of any material change in the defendant's economic circumstances.

Signed this the 8th day of June, 2010.


KATHLEEN CARDONE
UNITED STATES DISTRICT JUDGE

Defendant: CHARLOTTE'S INC. ; Melissa O'Rourke, authorized representative
Case Number: EP-10-CR-1178-KC

PROBATION

The defendant is hereby placed on non-reporting probation for a term of five (5) years.

While on probation, the defendant shall comply with the mandatory, standard and if applicable, the special conditions that have been adopted by this Court as set forth in pages 3 and 4 of this judgment.

Defendant: CHARLOTTE'S INC. ; Melissa O'Rourke, authorized representative
Case Number: EP-10-CR-1178-KC

CONDITIONS OF PROBATION

Mandatory Conditions:

- 1) The organization shall not commit another federal, state, or local crime.
- 2) If the judgment imposes a fine or restitution, it is a condition of supervision that the organization pay in accordance with the Schedule of Payments sheet of the judgment.

Standard Conditions:

- 1) The organization shall permit a Probation Officer to visit it at any time and shall permit confiscation of any contraband observed in plain view of the Probation Officer.
- 2) The organization shall notify the Probation Officer within seventy-two hours of being arrested or questioned by a law enforcement officer.
- 3) If the judgment imposes other criminal monetary penalties, it is a condition of supervision that the organization pay such penalties in accordance with the Schedule of Payments sheet of the judgment.
- 4) If the judgment imposes a fine, special assessment, restitution, or other criminal monetary penalties, it is a condition of supervision that the organization shall provide the probation officer access to any requested financial information.

Defendant: CHARLOTTE'S INC. ; Melissa O'Rourke, authorized representative
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CRIMINAL MONETARY PENALTIES/ SCHEDULE

The defendant shall pay the following total criminal monetary penalties in accordance with the schedule of payments set forth. Unless the Court has expressly ordered otherwise, if this judgment imposes imprisonment, payment of criminal monetary penalties is due during imprisonment. Criminal Monetary Penalties, except those payments made through Federal Bureau of Prisons' Inmate Financial Responsibility Program shall be paid through the Clerk, United States District Court, 511 E. San Antonio Street, Room 219 El Paso, Texas 79901.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

	<u>Assessment</u>	<u>Fine</u>	<u>Restitution</u>
TOTAL:	\$100.00	\$500,000.00 as set forth below	\$0

Special Assessment

It is ordered that the defendant shall pay to the United States a special assessment of \$100.00. Payment of this sum shall begin immediately.

Fine

The defendant shall pay a fine of \$500,000.00, \$250,000.00 is to be suspended and probated for five years. If the Defendant violates a condition of its probation, including failure to pay the fine described above, the court may revoke its probation and sentence, the Defendant to pay that part of the fine which was suspended. The defendant shall notify the United States Attorney for this District within 30 days of any change of mailing or residence address that occurs while any portion of the sum remains unpaid. Any fine balance that remains unpaid at the commencement of a term of supervised release shall be paid on a schedule to be approved by the Court. Payment of this sum shall begin immediately.

If the defendant makes a partial payment, each payee shall receive an approximately proportioned payment, unless specified otherwise in the priority order or percentage payment column above. However, pursuant to 18 U.S.C. § 3664(i), all non-federal victims must be paid before the United States is paid.

If the fine is not paid, the court may sentence the defendant to any sentence which might have been originally imposed. See 18 U.S.C. §3614.

The defendant shall pay interest on any fine or restitution of more than \$2,500.00, unless the fine or restitution is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. §3612(f). All payment options may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. §3612(g).

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal, (5) community restitution, (6) fine interest, (7) penalties, and (8) costs, including cost of prosecution and court costs.

Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994, but before April 23, 1996.